

REMEDICATION AND REDEVELOPMENT (RR) NEWS FROM WISCONSIN DNR
April 18, 2002

RULE DEVELOPMENT

The Natural Resources Board (NRB) has been asked to adopt the "Soil GIS Rule" at their April 23-24 board meeting. The proposed changes to NR 700, 714, 722, 726 and 749 would clarify the application of deed restrictions and deed notices to contaminated properties where residual soil contamination remains after case closure. The rule changes would authorize the creation of a soil geographic information system (GIS) registry that will be available on the internet as a means of notifying future owners/users of the property of the existence of soil contamination. NR 749 rule changes would establish a fee of \$200 for management of the GIS registry.

The NRB will also consider authorization of public hearings for the Brownfields Green Space Grant and Public Facilities Program on April 23-24. The 2001-2003 state budget authorized the department to create ch. NR 173, a rule to develop the new Brownfields Green Space and Public Facilities Grant Program. The statute allows the department to award a total of \$1 million to local governments for remediation of brownfields where the end use will have a long-term public benefit. Eligible end uses include preservation of green space, development of recreational areas or use by a local government. The rule will specify the criteria for eligibility and scoring. If authorized, public hearings will be held in June. The date will be announced on our web site and in a future "RR News". Please click on the link below to read the proposed rule and the complete green sheet package.

http://www.dnr.state.wi.us/org/aw/rr/wi_regs/index.htm#anchor74198

CONSULTANT RECOMMENDATIONS - NO FURTHER ACTION?

When RPs (and consultants who are acting for RPs) report laboratory data that shows contamination, they may also provide a recommendation for the next step. Based on the data and the site conditions, a consultant may recommend that a site investigation under NR 716 be initiated. Conversely, a consultant may recommend that further action is not required due to very low contaminant levels. If DNR staff concur that no further action is needed, the discharge report will be tracked in the Bureau for Remediation and Redevelopment Tracking System (BRRTS) as a site where "no further action" was required. If the RP wants a written response from DNR confirming that no site investigation is required, the RP should request a general liability clarification letter. Otherwise, the RP may be informed by telephone, or may check BRRTS on the web. In some circumstances, DNR may ask for a limited amount of specified data, rather than a full site investigation, following a discharge report. As we noted April 4, non-emergency discharges identified through lab analysis may be reported by fax. Use Form 4400-225, the Hazardous Substance Release Fax Notification Form, and report the discharge immediately after receiving the lab data. Observable spill incidents must always be reported by telephone or in person.

CURRENT PUBLICATIONS

Often people keep their own personal copies of Remediation and Redevelopment (RR) program publications, including publications from several years back. However, this is a dynamic program and we urge you to be sure that all of your copies are up to date. If a publication

does not appear on our current list of publications, it is obsolete and should not be used as a current reference. We recommend that you discard publications that are not current. If you have any questions about which publications are current or obsolete, or questions about obtaining copies of current publications, please contact our publication coordinator, Megan Clemens, at clemem@dnr.state.wi.us. Megan can also put you in touch with publication authors if you have questions about the content of a publication. Here is the link to our list of current publications.
http://www.dnr.state.wi.us/org/aw/rr/archives/pub_index.html

UST LOG DISCONTINUED

Publication RR-549, the underground storage tank (UST) site assessment log, is no longer a current publication. This publication was a list of site assessments conducted in response to UST removal or closure where DNR did not require a site investigation under NR 716, Wis. Admin. Code. The publication was discontinued due to improvements to our Bureau of Remediation and Redevelopment Tracking System (BRRTS). For current information on UST assessments, please use the BRRTS button under "Find Sites" on our main web page. Search for "no action required" locations in the "activity type" box. After clicking on individual locations, the "activity comment" will indicate "UST Closure - No site investigation required". Please keep in mind this does not mean that the entire property has been investigated and found to be without significant contamination. Paper files for UST site assessment reports are stored in state archives and take some time to retrieve. Please contact Judy Foss at 608-266-3308, or fossj@dnr.state.wi.us if you need to retrieve a copy of an UST site assessment report.
<http://www.dnr.state.wi.us/org/aw/rr/index.htm>

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